

Testimony by Jose L Nunez II

Wallingford, CT 06492

Raised H.B. No.6685 (In favor of H.B. No.6685)

AN ACT CONCERNING THE PRESUMPTION OF SHARED CUSTODY IN DISPUTES INVOLVING THE CARE AND CUSTODY OF MINOR CHILDREN.

Dear Judiciary Committee, April, 5, 2013

My journey to equality in the Connecticut court started 2/22/2011, after learning my son was born, though legal papers served to me at my home. I had no notification from his mother that he had been born; which hospital he was in or given a chance to be part of the celebration of his birth. This broke my heart and my families. This time of joy has been lost forever. It is priceless! My son's mother and I had been dating for about a year and a half and often spoke about the future together prior to learning we were going to be parents. My son's mother ended the relationship when she was a few months pregnant. I continued to support her emotionally, financially and went to doctors visits with her.

On March 17, 2011 I had my first appearance in court ever in my life with a Milford, CT family law attorney. I was promised the world and like a naïve young man took the bait. What an awful experience that was. I was called a *"typical cheating Latino male"* by opposing counsel in the court house. I was given visitation of 2hrs a day 4 days a week in which I traveled 60 miles round trip daily. I had to have someone with me at my son's house. Under some advisement a paternity test was taken. I was accused of being a deadbeat for not paying for the 4 weeks of child support that *hadn't* been established, even though I was helping my son's mother financially with baby supplies.

Somehow my attorney thought it would be a good idea to involve a guardian ad litem in my case and that's where things started to go **wrong**. All 3 counselors involved were *female* and it was obvious that none of them ever walked in a *man's shoes*. The G.A.L (Guardian Ad Litem) assigned to my case was bias from the start. In one comment made by her was *"I heard everything from your son's mother I don't need to hear your side of what happened"*. I could not believe that my voice wasn't important to this individual responsible for representing my child's best interests.

In 2 incidents: 1) involving a motor vehicle accident I was notified a day later via email and 2) an epi-pen incident where my sons mother refused to give me 1 of the 2 she had (my son's life was at risk because of an egg allergy.) Family services and the G.A.L did nothing but say "yeah that was pretty dumb of her." Mind you, epinephrine (epi-pen) is a medication used to treat anaphylaxis or "shock" if you will.

I am a career Firefighter/paramedic, have used this medication first hand several times and have *saved lives*. Yet our system didn't see the point where my child's mother *endangered* his life. I can tell you first hand that if a father did that, today's court would use it against him? **GENDER BIAS IS WORKING AGAINST FATHERS IN THE COURTS**. Just because a woman gives birth does not entitle her to common sense and parental responsibility? Yet, our court system seems to believe that mothers are entitled to control all facets of their children's lives. Maybe mothers should have to register their mental health status before the courts grant them benefit of doubt. Let's not be ridiculous here, that wouldn't work.

To get back to my story, so I hired a new attorney to represent me in Oct 2012 to get me a 2nd overnight (the G.A.L recommended in the final court order back in July 2012 sometime.) That fell through the cracks and we were unable to be seen by the court that day. So, since the beginning I have lost time with my son due to my son's mother willful disobedience to the court order over 340+ hours to be exact (those hours do not include the 2nd overnight). I'm still waiting since last October.

My son's mother has generally uninvolved me in my son's medical appointments (I have legal joint custody). I have been called one hour in advance at times or have to call the doctor's office myself to find out about appointments in advance. My son's mother is not a bad mother, but permitted by law to deprive him of his rights and of mine also, to bond. (GENDER BIAS)

She has made false statements about her work hours and works more than she admits. I found this out by the number of uncashed child care checks she gives me for reimbursement. I have been told falsehoods, been accused of things that were proven untrue. She manipulates the travel arrangement that's in the court order so I do 95% of the driving at a \$75-\$100 a week increased expense (gas) to me, not to mention the wear and tear on my vehicle. Legal fees have been over \$25,000 in 2 years. I pay child support and also buy him clothes, special foods and whatever else he needs when he is with me. She has been a no show for child exchanges several times or shortens my visitation without notice. These are not actions of a loving fit parent, and contempt is another term for "slap on the wrist." We need something more progressive than this.

That is a step towards child alienation and the courts are giving these mothers all the confidence and ammo to succeed (GENDER BIAS). Statistics show children do better with 2 parents, so why it is the courts favor one, usually the mother. (GENDER BIAS) Mothers and fathers need to work together for the best *interest of the child*. To make this work there **must** be both parents involved not ONE (1).

Children that have good relationships with their father from birth succeed more than those who do not. The child becomes more emotionally secure, confident and later has better social connections. When their fathers are involved, nurturing and playing with their infants they have higher IQ's. Toddlers start school with higher levels of academic

readiness. The child will be less likely to get in trouble at home, school and neighborhoods. The use of drugs including alcohol, violence, getting put in jail and bad behavior is reduced greatly. School dropouts decline. The child learns to respect themselves and others and has much better relationships as they get older. They become better parents. The 2001 U.S. Department of Education Study found highly involved fathers had children who are 43% more likely than other children to earn A's in school.

As with anything involving government I think the answer is money, and the ones suffering are the fathers and children. The courts, attorneys, GAL's, mediators, therapist's and counselors etc makes money off parents disputing; instead of doing what's best for the child which is shared physical custody. You see, I know many friends of mine who can say, "you're lucky you have a dad", "my father was never there for me," "my dad only takes me on the weekends" I think about these comments and wonder: was you're dad not around because, mom beat him up so bad in court he couldn't afford court/attorneys any longer, you're father was there just busy working to make ends meet and pay the court awarded child support and alimony, you're mom never encouraged you to call/see him?

I believe when you enact and pass this bill it **must** be enforced. The judges on the bench **must** enforce it without bias, so that our children will have a better life. I believe when you bring fathers out of poverty they will provide better for their children because that's what we truly want. I believe that if that the bread is split equally everyone gets their share and that leads to less confrontations in our courts and out of our children's lives.

I have done the best I can to teach my son about love, through example. Having the desire and willingness to be in your child's lives should never be the battle it is today. Yes, times have changed and the laws **must** change and protect our children today to enable them to become a loving, healthier, happier, more productive adult in the future. This is not an option. It is everyone's responsibility.

There is a saying in the firehouse "Pride in Ownership." I live this motto everyday whether it is on the apparatus or at home with my son being his dad. You too should take pride in what you do no matter what it is. You all can make a real difference by doing the right thing... And that's what this bill is all about.

We need this HB6685 to pass because children's lives are at stake.

My child's life is in your hands, *please* don't let him down.

Sincerely,

Jose L. Nunez II

April 4, 2013